

REMARKS

Favorable consideration of the subject application is respectfully requested in view of the above amendments and following remarks. Following the amendments, claims 2-5, 9, 10, 16-19, 24, 27-29, 32, 58-60, 64 and 65 are under consideration, with claim 18 being in independent format.

Applicants wish to thank the Examiner for the helpful telephone interview with their representative, Janet Sleath, on December 17, 2009.

The specification has been amended to replace reference to slidable operating head activation control 280 with reference to slidable drive motor actuator 220.

Claim 63 has been cancelled and independent claim 18 has been amended to recite subject matter previously recited in claim 63. Specifically, claim 18 has been amended to recite an interventional catheter assembly comprising an actuator that includes a clamp mechanism that is actuatable to grip the catheter system and releasable to allow translation of the actuator along the catheter system. It is submitted that support for this amendment can be found in paragraph [0065] of the published application and throughout the specification as originally filed. Claims 2, 4, 5, 9, 10, 16, 19, 24, 29, 32, 58-60 and 65 have been amended to remove reference to previously withdrawn claims. It is urged that support for the above amendments can be found throughout the specification as originally filed and that none of the amendments constitutes new matter or raises new issues for consideration. Applicants specifically reserve the right to pursue claims to any subject matter that may have been cancelled from the claims by the above amendments in one or more related applications.

Objections to the Drawings

The Examiner notes that the drawings fail to show “slidable operating head activation control 280” as described in the specification. As noted above, this phrase has been replaced by “slidable drive motor actuator 220,” thereby rendering this objection moot.

Claim Rejections under 35 USC § 103

Claim 18 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Belef et al. (U.S. Patent 6,398,755). This rejection is respectfully traversed in view of the above amendments and the following remarks.

Belef et al. disclose a catheter and catheter drive unit providing controlled translation of a rotatable catheter core with an operative element, e.g. an atherectomy cutter, at its distal end. The Examiner asserts that “Belef teaches the claimed invention except for teaching that the slidabile actuator is completely distal to the control pod and that the switch is incorporated into the actuator”, and further that “one having ordinary skill in the art would have been able to modify the actuator of Belef to be detached from the control pod and to include the activation switch on the actuator at the time the invention was made with predictable results”.

As detailed in the Amendment and Reply filed June 17, 2009, applicants respectfully disagree with the Examiner’s position. However, in order to expedite allowance of the claims, independent claim 18 has been amended to recite an assembly including an actuator incorporating a clamp mechanism that is actuatable to grip the catheter system and releasable to allow translation of the actuator along the catheter system. Belef et al. do not teach or suggest such a clamping mechanism.

It is thus submitted that the teachings of Belef et al. would not have rendered the subject matter of independent claim 18 obvious to one of ordinary skill in the art at the time the present invention was made, and that the rejection of claim 18 under 35 U.S.C. §103(a) can thus be properly withdrawn.

Claims 2-5, 9, 10, 16, 17, 19, 24, 27-29, 32, 58-60, 64 and 65 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Belef et al. in view of US Patent 5,921,956 to Grinberg et al., U.S. Patent Publication US 2002/0007190 to Wulfman et al., U.S. Patent 6,565,588 to Clement et al., US Patent 5,584,843 to Sulzman et al. and US Patent 5,540,681 to Strul et al. This rejection is respectfully traversed in view of the following remarks.

The disclosure of Belef et al. is discussed above. None of the additional references cited by the Examiner overcome the deficiencies of Belef et al.

Applicants submit that none of the cited prior art references, taken either singly or in combination, teach or render obvious the presently claimed subject matter, and that this rejection of the claims under U.S.C. §103(a) can thus be properly withdrawn.

Concluding Remarks

Every effort has been made to put the pending claims in condition for allowance. Early reconsideration and allowance of the application is respectfully requested.

Should the Examiner have any further concerns regarding this application, she is respectfully invited to telephone the undersigned at (206) 382-1191.

Respectfully submitted,


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